

## **Agenda**

### **Troy City Council**

September 11, 2000- 7:30 P.M.  
Council Chambers - City Hall  
500 West Big Beaver

Invocation  
Pastor Robert Cholette  
Troy Assembly of God

Roll Call

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### **TABLED ITEM**

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### **CONSENT AGENDA**

**The consent agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the consent agenda. Any Council Member may remove an item from the consent agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given consent agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the consent calendar shall be considered after other items on the consent business portion of the agenda have been heard. (*Rules of Procedure for the City Council*, Article 10, as amended April 12, 1999.)**

- |     |  |   |
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### **REGULAR BUSINESS**

**Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the *Rules of Procedure of the City Council*, Article 12, as amended April 12, 1999.**

**Persons interested in addressing City Council on items which are not on the printed Agenda may do so under the last item of the Regular Business (F) Section.**

F-1	Nominations/Appointments to Boards and Committees: (a) CATV Advisory Committee; (b) Charter Revision Committee; (c) Board of Review; (d) Parks and Recreation Commission - Student Applicant; (e) Planning Commission - Student Applicant	6
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#### **COUNCIL COMMENTS**

#### **COUNCIL REFERRALS**

#### **VISITORS**

**Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council*, Article 12, as amended April 12, 1999.)**

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**Call to Order:**

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**Invocation and Pledge of Allegiance: Pastor Robert Cholette, Troy  
Assembly of God**

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**Roll Call:**

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Mayor Jeanne M. Stine  
Henry W. Allemon  
Thomas S. Kaszubski  
Martin F. Howrylak  
Anthony N. Pallotta  
Louise E. Schilling  
John R. Stevens

**Minutes: Regular Meeting – August 21, 2000**

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**A-1**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, that the minutes of the Regular Meeting of August 21, 2000, be approved.

Yes:

No:

**Presentations and Introductions:**

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**A-2**

- (a) **Presentation to the Athens High School Girls Soccer Team for winning the Michigan Division 1 State Championship.**
- (b) **Presentation of Certificates of Recognition of Meritorious Action in Coming to the Aid of a Six-Year Old Boy to the following Troy Family Aquatic Center Lifeguards: Jessica Bibbee, Elizabeth DiMaria, Nick Gillett, Jeanette Kudsin, Anthony Lamerato, Kevin Losey, Jennifer Perayeff and Thomas Spencer.**
- (c) **Introduction of Jordan Keoleian, Proposed Student Representative to the Planning Commission.**
- (d) **Presentation - By Government Finance Officers Association to the Finance and Community Affairs Departments for Obtaining the Certificate of Achievement for Excellence in Financial Reporting for the City's June 30, 1999 Comprehensive Annual Financial Report and An Award for Outstanding Achievement in Popular Annual Financial Reporting for the City's 1999 Financial Summary.**

**PUBLIC HEARING - AMENDED****Proposed Zoning Ordinance Text Amendment - Exceptions from Gross Building Area Calculations in Office and Research Districts (#188) C-1**

City Management requests a 5-minute presentation regarding this item.

**Suggested Resolution**

Resolution #2000-

Moved by

Seconded by

BE IT ORDAINED, That an ordinance to amend Chapter 39, Zoning, of the Code of the City of Troy, in order to except basement mechanical and long-term storage areas, as well as interior vehicular parking areas, from the gross building area calculations for development intensity purposes in Office and Research Districts, is hereby adopted, a copy of which shall be attached to the original minutes of the meeting.

Yes:

No:

**TABLED ITEM****Liquor Committee Recommendations - Meeting of August 14, 2000: Rite Aid of Michigan, Inc. Request to Transfer Ownership of 1999 Specially Designated Distributor License with Sunday Sales Only, Presently in Escrow, From Perry Drug Stores, Inc. and Transfer Location From 850 E. Big Beaver, Troy, Michigan to 1981 W. South Blvd., Troy, Michigan, to be Held in Conjunction with Proposed New Specially Designated Merchant License with Drive-Up Window [MLCC Ref # 56488] D-1****Suggested Resolution**

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the request from Rite Aid of Michigan, Inc. to transfer ownership of 1999 Specially Designated Distributor license with Sunday sales only, presently in escrow, from Perry Drug Stores, Inc. and transfer location from 850 E. Big Beaver, Troy, Michigan, 48083, Oakland County, to 1981 W. South Blvd., Troy, Michigan, 48098, Oakland County, to be held in conjunction with proposed new Specially Designated Merchant license with drive-up window, [MLCC Ref # 56488], be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Yes:

No:

**CONSENT AGENDA**

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. *A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council.* Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. *(Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.)*

**Approval of Consent Agenda****E-1**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

**Bid Award-Treated Post Frame Structure at Sylvan Glen Golf Course****E-2**Suggested Resolution

Resolution #2000-

RESOLVED, That a contract to furnish and install one (1) Treated Post Frame Structure at Sylvan Glen Golf Course be awarded to the low bidder, Lapeer Lumber and Truss, Inc., for an estimated total cost of \$82,731.00, contingent upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates, and all other specified requirements; and

BE IT FURTHER RESOLVED, That additional work be authorized if needed, due to unforeseen circumstances, in accordance with the Schedule of Values dated September 5, 2000, a copy of which shall be attached to the original minutes of this meeting, not to exceed 10% of the total project cost.

**Request for Temporary Sales in the M-1 (Light Industrial) Zoning District****E-3**Suggested Resolution

Resolution #2000-

RESOLVED, That request from Believe Enterprises, Inc., 1715 Larchwood, for temporary permission for retail sales as an accessory use to wholesale or service



facilities within an M-1 (Light Industrial) District pursuant to Chapter 39, Zoning, Section 28.25.03 of the Code of the City of Troy, on Friday, September 29, 2000 through Sunday, October 1, 2000, is hereby approved.

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**Annual Audit Filing Extension****E-4**Suggested Resolution

Resolution #2000-

WHEREAS, Section 4 (2) (MCL 141.424) of the Uniform Budgeting and Accounting Act (Act 2, PA of 1968, as amended) allows for a 60-day extension of the 120-day filing requirement for annual financial reports, and

WHEREAS, The annual audit is currently in progress and is expected to be completed within 180 days from the end of the fiscal year,

RESOLVED, That the Michigan Department of Treasury is requested to approve a 60-day extension of the 120-day filing requirement for the City of Troy's annual financial report.

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**Closed Session****E-5**Suggested Resolution

Resolution #2000-

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections 8 (d), and (e), (Troy v Hoste), after adjournment of this meeting.

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**Extend Lease of Mobile Data Terminal Systems****E-6**Suggested Resolution

Resolution #2000-

WHEREAS, On June 20, 1988, a seven-year lease was granted for the Police Department to participate with Oakland County for the use of the Mobile Data Terminal (MDT) System (Resolution #88-681); and

WHEREAS, Oakland County agreed to extend the lease in 1996 for five (5) additional years and has agreed to another one (1) year extension and;

WHEREAS, It is determination of the City Manager and City Council of the City of Troy that Oakland County is the sole source for ongoing communications with the Oakland County Courts and Law Enforcement Management Information System (CLEMIS);

NOW, THEREFORE, BE IT RESOLVED, That the lease agreement to pay participation fees to Oakland County for 54 mobile data terminals is hereby extended until May 31, 2001, at a rate of \$400.00 for each MDT for a total cost of \$21,600.00.

**Grace Christian Learning Center, 2051 E. Big Beaver - Private Agreement      E-7**  
**- Project No. 00.916.3**

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Suggested Resolution

Resolution #2000-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and the Benchmark Group, Inc., is hereby approved for the installation of water main, storm sewer, and paving, in Section 24, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

**REGULAR BUSINESS**

**Nominations/Appointments to Boards and Committees: (a) CATV      F-1**  
**Advisory Committee; (b) Charter Revision Committee; (c) Board of**  
**Review; (d) Parks and Recreation Commission- Student Applicant; (e)**  
**Planning - Commission Student Applicant**

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**(a) CATV Advisory Committee**

One vacancy exists on this Committee with a term to expire February 28, 2002.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

Nominated By

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**(b) Charter Revision Committee**

One vacancy exists due to the resignation of Donald Ruff.

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

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Nominated By

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Yes:

No:

**Nominations/Appointments to Boards and Committees:****F-1****(c) Board of Review**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

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Nominated By

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Yes:

No:

**(d) Parks and Recreation Board - Student Applicant**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

Haley Byrd

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Nominated By

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Yes:

No:

**Nominations/Appointments to Boards and Committees:****F-1****(e) Planning Commission - Student Applicant**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

The following persons are hereby nominated by members of the City Council, as indicated to serve on this committee:

Nominee

Jordan C. Keoleian

Nominated By

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Yes:

No:

**Designate of Voting Delegate and Alternate Voting Delegate at the  
 Annual Business Meeting of the National League of Cities to be held  
 December 5, 2000 in Boston, Massachusetts**
**F-2**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That \_\_\_\_\_ is hereby designated as Voting Delegate and  
 \_\_\_\_\_ is hereby designated as the Alternate Voting Delegate to cast the  
 vote of the City of Troy at the Annual Business Meeting of the National League of Cities  
 to be held December 5, 2000 in Boston, Massachusetts.

Yes:

No:

**Approval to Participate in the MMRMA Electric Choice Program****F-3**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the Agreement between the City of Troy and the Michigan Municipal  
 Risk Management Authority to establish the City of Troy as a member of the MMRMA  
 Electric Choice Program and name the City Manager as the designated City  
 representative who has full authority to act on the part of the City in all matters

concerning the Program is hereby approved including the membership fee of \$100.00 and the service fee of not to exceed \$.006 per kilowatt hour until December 31, 2002, if the City should opt to participate in the final program.

Yes:

No:

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**Plant Rehabilitation****F-4**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) reducing economic obsolescence of the industrial base, (c) encouraging industrial expansion, (d) encouraging attractive, viable industrial sites, (e) encouraging the redevelopment of obsolete industrial buildings, and (f) maintaining a modern, efficient industrial building inventory; and

WHEREAS, The Plant Rehabilitation and Industrial Development Districts Act, being Public Act 198 of 1974 (PA 198), as amended, empowers cities to establish Plant Rehabilitation Districts (PRD) and to grant tax abatements for certain properties which meet certain criteria established by PA 198; and

WHEREAS, The City Council of the City of Troy has determined that additional criteria should be established for the creation of such districts and abatements;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that the following criteria are to be met, applied, or measured by the City Manager, or his designees in the review of areas and locations to be considered for the designations as Plant Rehabilitation Districts (PRD) by the City Council:

1. The property must be included in the (M-1) Light Industrial Zoning Classification.
2. If the district is to be established for a Replacement Facility, as defined in PA 198, it will include the site of the obsolete building, as defined by PA 198, and vacant land contiguous to the site, not separated by a dedicated public right of way.

BE IT FURTHER RESOLVED, That in addition to the criteria established by the Plant Rehabilitation and Industrial Development Districts Act, being Public Act 198 of 1974, the following criteria are established as guidelines to be met, passed, measured and ascertained by the City Manager, or his designees, as minimum standards for submitting requests or petitions for the consideration and possible approval of Plant Rehabilitation type Industrial Facilities Exemption Certificates, by the City Council of the City of Troy:

1. For Rehabilitation or Replacement Facilities applications, Personal Property shall not be included as part of an abatement request.
2. For Rehabilitation or Replacement Facilities applications, the minimum amount of

Taxable Value generated by the renovation or replacement, shall be at least 50% of the existing Taxable Value of the obsolete building.

3. For Rehabilitation or Replacement Facilities applications, the maximum amount of Taxable Value generated by the renovation or replacement, shall not be more than 100% of the existing Taxable Value of the obsolete building.
4. For Replacement Facilities applications, the existing obsolete structures shall be demolished.
5. For Replacement Facilities applications, the Replacement shall be constructed on the site of the demolished obsolete building, and on contiguous vacant land not separated by a dedicated public right of way.

Yes:

No:

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**Report on City Banner Design and Cost****F-5**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the contract awarded to Banner Prints, Inc. to provide 100 City of Troy banners for the light poles on Big Beaver Road at an estimated total cost of \$7,000.00 to be paid through the Parks and Recreation General Administration Budget Account #401752.7978.010, is hereby approved.

Yes:

No:

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**Temporary Trailer Request - Marriott Residence Inn, 2600 Livernois****F-6**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the request from Anthony J. Caparaotta, President of Color-Rite Construction, to place an officer trailer on the site of the Marriott Residence Inn, to be used for office space during renovations of their existing registration center, for a period not to exceed 12 months, is hereby approved at 2600 Livernois, in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

Yes:

No:

**Design Services, Dennis Powers Drain - Section 3 - Project 99.301.5**

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**F-7**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED That Hubbell, Roth & Clark, Inc., in accordance with the General Engineering Services agreement and the memorandum dated July 28, 2000, for Design Services for the design of the Dennis Powers Drain Project in Section 3, Project No. 99.301.5, is hereby approved and Hubbell, Roth & Clark is hereby authorized to begin with the design at a not-to-exceed fee of \$100,000.00, the funds for the design services are included in the 2000-01 Sewer budget.

Yes:

No:

**Sterling Heights Rezoning Proposal - East Side of Dequindre, North of  
Nineteen Mile Road - R-100- to O-1**

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**F-8**Suggested Resolution

Resolution #2000-

Moved by

Seconded by

WHEREAS, The City Council of the City of Sterling Heights now has under consideration a proposal for the rezoning of three parcels on the east side of Dequindre Road, north of 19 Mile Road, from R-100 (One Family Residential) to O-1 (Business and Professional Office); and

WHEREAS, These parcels lie directly across Dequindre Road from the recently-developed Briarwood Manor Subdivisions in the City of Troy; and

WHEREAS, The requested rezoning would also be in conflict with the intent of the City of Sterling Heights Master Land Use Plan which indicates low-density residential use in this area; and

WHEREAS, The City of Sterling Heights Planning Commission has recommended that the City of Sterling Heights City Council deny this rezoning request.

NOW THEREFORE BE IT RESOLVED, That the Troy City Council hereby respectfully requests that the City Council of the City of Sterling Heights take action to deny this rezoning request (Proposal Z-1014), in order to help to maintain the highest available level of compatibility between the ultimate development patterns within the City of Sterling Heights and the City of Troy.

Yes:

No:

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**Proposed Amendment to Zoning Ordinance Approval of Temporary  
Retail Sales in M-1 Districts**


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F-9

Suggested Resolution

Resolution #2000-

Moved by

Seconded by

RESOLVED, That the proposed revision to Section 28.25.02 of the Troy Zoning Ordinance relating to the approval procedure for Temporary Retail Sales in the M-1 Zoning District is referred to the Troy Planning Commission for review and recommendation.

Yes:

No:

**COUNCIL COMMENTS****COUNCIL REFERRALS****VISITORS**

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council*, Article 12, as amended April 12, 1999).

**REPORTS AND COMMUNICATIONS****Council Referrals**

G-1

**Minutes - Boards and Committees**

G-2

(a) Planning Commission - August 1, 2000

(b) Advisory Committee for Senior Citizens, June 1, 2000

(c) Advisory Committee for Persons with Disabilities - August 2, 2000

(d) Board of Zoning Appeals, August 15, 2000

(e) Troy Daze - August 22, 2000

**Department Reports**

G-3

**Announcements of Public Hearings:**

G-4



<b>Proposed Proclamations:</b>	<b>G-5</b>
(a) Constitution Week	
(b) Pollution Prevention Week	
(c) 60 <sup>th</sup> Anniversary Celebration of Gorman's Home Furnishings	
<b>Troy Daze Festival Thank You for Banners</b>	<b>G-6</b>
<b>Forthton Paving Special Assessment, Project No. 99.117.1 Memorandum to Property Owners from Engineering</b>	<b>G-7</b>
<b>Thank You to the Police Department From Atkins Drive Residents</b>	<b>G-8</b>
<b>Report on the Rochester Road Design Issue (City Staff and HRC Consultants are available to answer questions or give a presentation)</b>	<b>G-9</b>
<b>City of Ferndale Resolution Regarding Religious Land Use and Institutionalized Persons Act of 2000</b>	<b>G-10</b>
<b>City of Ferndale Resolution Regarding Local Law Enforcement Block Grant Funding</b>	<b>G-11</b>
<b>Report on Mr. Patrick Piscopo's Initial Concerns and His Follow-up Thank You Letter to Staff for Solving His Concerns</b>	<b>G-12</b>
<b>Update on Proposed Formation of the Cultural Education Board</b>	<b>G-13</b>
<b>Report on Troy's Weed Height Standards</b>	<b>G-14</b>
<b>Letter of Staff Appreciation from Law Firm Representing EG &amp; G Structural Kinematics/Defiance Testing and Engineering Transfer of Industrial Facilities Exemption Certificates</b>	<b>G-15</b>
<b>Summary of Motor Vehicle Crashes - January &amp; February, 2000</b>	<b>G-16</b>
<b>Information on Resort Liquor Licenses</b>	<b>G-17</b>
<b>Warning Signs Regarding HANDICAPPED/BLIND/DEAF CHILD AREA</b>	<b>G-18</b>
<b>Letter from Ancor Information Management Regarding Tax Abatements</b>	<b>G-19</b>
<b>Troy City Code and Charter Available on the Internet</b>	<b>G-20</b>
<b>Letter to Mr. Phillips Regarding the Community Center Project</b>	<b>G-21</b>
<b>Library Patron Visit History</b>	<b>G-22</b>
<b>Bank Robbery and Subsequent Arrest</b>	<b>G-23</b>

**Draft Master Plan of Civic Center**

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**G-24**

**Monthly Financial Report - July, 2000**

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**G-25**

Respectfully submitted,

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John Szerlag, City Manager